

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NATALIE SOTO,

Plaintiff,

v.

WENDELL HOLMES, JR.,

Defendant.

Civil Action No.: 1:24-cv-02911-SDG

DEFENDANT'S STATEMENT OF MATERIAL FACTS IN DISPUTE

IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT


COMES NOW Defendant Wendell Holmes, Jr., pro se, and pursuant to Local Rule 56.1(B)(2)(a)(2), submits the following Statement of Material Facts as to Which There Exists a Genuine Issue for Trial:

1. Defendant denies knowingly or intentionally disclosing any "intimate image" of Plaintiff as defined under 15 U.S.C. § 6851(a)(3).
2. While the Plaintiff voluntarily sent provocative content to the Defendant during the course of their relationship, the Defendant did not reciprocate in kind and did not solicit such images. The nature of the communication was initiated by Plaintiff, and the Defendant did not engage in a pattern of exchanging explicit content.
3. The alleged image sent to Dawn Douglas was not shared for the purpose of harassment, harm, or distribution, and was taken out of context in the Plaintiff's allegations.
4. The disclosure alleged by Plaintiff, if it occurred, was not made via means of interstate commerce with the intent to harm, harass, intimidate, or threaten.

5. Plaintiff had resumed contact with Defendant after several weeks of no communication, during which she made threats and demanded financial payments, as shown in Defendant's declaration.
6. Plaintiff's emotional and financial distress claims are contradicted by her own social media activity, which Defendant intends to present at trial.
7. Defendant has suffered real and documented harm, including job loss and arrest, based on Plaintiff's false allegations and public campaign to damage his reputation.
8. Plaintiff's Affidavit, the Affidavit of Dawn Douglas, and the cited deposition testimony contain factual inaccuracies and omissions that require cross-examination before a jury.
9. Defendant asserts that the Plaintiff's claims are retaliatory in nature and omit crucial context and communications leading up to the alleged disclosure.
10. Genuine issues of material fact remain regarding Plaintiff's consent, the nature and context of any alleged image shared, the Defendant's intent, and the extent of Plaintiff's alleged harm.

WHEREFORE, Defendant respectfully requests that this Court deny Plaintiff's Motion for Summary Judgment and permit this matter to proceed to a jury trial.

Respectfully submitted this 14th day of April, 2025.



Wendell Holmes, Jr.

Defendant, Pro Se.

5934 Rosie LN SE

Mableton, GA 30126

(404) 664-2943